

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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REGINALD UNDERWOOD

Plaintiff,

v.

CASE NO: 09-CV-10448-DT

CORRECTIONAL MEDICAL SERVICES,  
ET AL.,

Defendants

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

This matter was referred to United States Magistrate Judge Mark A. Randon pursuant to 28 U.S.C. §636(b)(1)(B) and Local Rule 72.1. In his January 13, 2011 report, the magistrate judge recommends that this court grant Defendants' Motion for Summary Judgment, (Doc #51).

No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C), thus further appeal rights are waived.<sup>1</sup> Having reviewed the file and the Report, the court concludes that the findings and conclusions of the Magistrate Judge are correct and ADOPTS the same for purposes of this Order.

**ORDER**

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<sup>1</sup> The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Any objection was due with the ten days of service, Fed.R.Civ.P.6(e). No objection has been filed as of the date of this order.

IT IS ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, the Defendants' Motion for Summary Judgment (Doc #5) is **GRANTED** and the case is dismissed with prejudice

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: February 18, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 18, 2011, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522